



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 04-402
February 19, 2004

EX PARTE STATUS OF INVESTIGATION OF BROADCAST OF SUPER BOWL XXVIII ON FEBRUARY 1, 2004, BY CBS AND VARIOUS TELEVISION LICENSEES

The Commission is currently conducting an investigation of the February 1, 2004, broadcast of the CBS Television Network's coverage of Super Bowl XXXVIII by the network's affiliated stations, in File No. EB-04-IH-0011. In the absence of a complaint that is served on a target, ordinarily such an investigation is not subject to the *ex parte* rules. However, of the over 200,000 complaints received to date, a small number of the complainants served their complaints on CBS. Although such service would ordinarily require the treatment of the investigation as a restricted proceeding,¹ in light of the total number of complainants, such a reclassification of the proceeding would not serve the public interest. Accordingly, we will continue to treat this matter as not subject to the *ex parte* rules² until such time as further developments (*e.g.*, any issuance of a notice of apparent liability for forfeiture) would render the proceeding restricted.³

For further information, contact William D. Freedman at (202) 418-1415.

Action by Chief, Investigations and Hearings Division, Enforcement Bureau

¹ See 47 C.F.R. §§ 1.1202(d)(2), 1.1208.

² See 47 C.F.R. § 1.1200(a).

³ See 47 C.F.R. §§ 1.1202(d)(3), 1.1208.